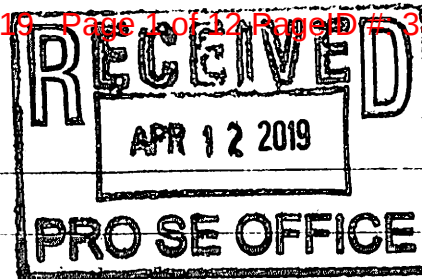


United States District Court
Eastern District Of New York



ORIGINAL

Beth A. Wilson
Roberto V. Hamilton

Amended Complaint

PLAINTIFFS

Vs.

Civil Action / Suit

NO. 18-CV-5219

- LHM-553

Captain Tony Brown N.Y.P.D. - In His
Individual And Official Capacity :

Lieutenant Yeon Jung - N.Y.P.D. -

In His Individual And Official Capacity :

Lieutenant Jose Vega - N.Y.P.D. -

In His Individual And Official Capacity :

Sergeant Paul Scocca, Shield No. 3616

N.Y.P.D. - In His Individual And Official
Capacity :

Sergeant John McGurney, Shield No. 851

N.Y.P.D. - In His Individual And Official

Capacity : Detective Matthew Boett, Shield No. 5311 - N.Y.P.D.

Lieutenant Steven Caraballo - N.Y.P.D. -

E.S.U. - In His Individual And Official
Capacity :

Detective Daniel Donaldson, Shield No. 4772

N.Y.P.D. - E.S.U. - In His Individual And
Official Capacity :

Detective Lenin Guerrero, Shield No. 7483

N.Y.P.D. - E.S.U. - In His Individual And Official

Capacity : Detective Robert Romano, Shield No. 7517 - N.Y.P.D. - E.S.U.

In His Individual And Official Capacity :

Under The Civil Rights
Act, 42 U.S.C. § 1983
28 U.S.C. § 1331, 1343,
Bivens Action Tort
Claim - In The Nature
Of Mandamus

DETECTIVE MICHAEL TREGART - SHIELD NO. 7633 - N.Y.P.D. - E.S.U.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

DETECTIVE RAYMOND RABIONE - SHIELD NO. 4062 - N.Y.P.D. - E.S.U.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

DETECTIVE JASON JACKSON - SHIELD NO. 7402 - N.Y.P.D. - E.S.U.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER JASON SMITH, - SHIELD NO. 16580 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

DETECTIVE JOSEPH McEVY - SHIELD NO. 7393 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER MICHAEL KALICH - SHIELD NO. 90483 - N.Y.P.D.
E.S.U. - IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER GEORGE ALLEN - SHIELD NO. 6387 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER JEFFREY GORIS - SHIELD NO. 17322 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER DWANE EDWARDS, SHIELD NO. 13814 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER CARLOS HERRERA, SHIELD NO. 23317 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

SERGEANT DANIEL BERNARDI - SHIELD NO. 729 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE OFFICER HENRY RIVERA, SHIELD NO. 3959 - N.Y.P.D.
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

POLICE COMMISSIONER
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

DEPUTY POLICE COMMISSIONER
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY ::

- (1) Comes Now, Mr. Orlando H. Wilson, And Mr. Robert V. Hamilton In the Above Styled And Files This This Suit Under The Civil Rights Act, 42 U.S.C. § 1983 28 U.S.C. § 1331, 1343, Breach Action Tort Claim In the Nature Of Mandamus --
- (2) Each Defendant Is Sued Individually And In His/Her Official Capacity... At All Times Mentioned In This Suit, Each Defendants Acted Under The Color Of State And Federal Laws...
- (3) This Is A Civil Law Suit Action Authorized By 42 U.S.C. § 1983 To Redress The Violations And Deprivations Under Color Of Law, Of Rights Secured By The Constitution Of The United States...
- (4) This Honorable Court Has Jurisdiction Under 28 U.S.C. Section 1331 And 1343 (a)(3). Plaintiffs Seek Preliminary Relief Pursuant To 28 U.S.C. Section 2201 And 2202... Plaintiffs claims For Injunctive Relief Are Authorized By 28 U.S.C. Section 2283 And 2284 And Rule 65 Of The Federal Rule Of Civil Procedure...
- (5) Defendants And Counsel For The Defendants Substantiate And Validate The Fact, That They Are In Full-Awareness Of Judgment By Default Against Them Is Already Fully Established... "A Default Judgment Is A Binding Judgment In Favor Of One Party Because Of Other Party's Failure To Properly Respond, With Findings... As Evidenced In Prior Court Records... Defendants And Their Counsel Unmistakably Failed To Respond..."

(6) THE U.S. District Court - Eastern District Of New York Is AN APPROPRIATE VENUE UNDER 28 U.S.C. SECTION 1391 (b) (2) BECAUSE IT IS WHERE THE EVENTS GIVING RISE TO THIS CLAIM OCCURRED ...

(7) FURTHER, THE PLAINTIFFS HUMBLY REQUEST THAT THESE PROCEEDINGS BE REVIEWED UNDER THE LESSER STANDARD FOR "PRO-SE" BRIEFS AS PER HANES V. KERRER, 404 U.S. 519 [1972] [PRO-SE LITIGANT'S PLEADINGS ARE TO BE CONSIDERED LIBERALLY AND HELD TO LESS STRINGENT STANDARDS THAN FORUM PLEADINGS DRAFTED BY LAWYERS.] ...

(8) ALL ARE SUERS IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY. ALL ARE SUPERORDINATE TO ONE ANOTHER... THEREFORE ALL FALL UNDER THE SCOTT OF SUPERVISORY LIABILITY, BECAUSE OF THE FACT THAT THEY HAVE FULL KNOWLEDGE, AND ARE WITNESSING THE WANTON, MALICIOUS SEVERE UNBIDENED VIOLATIONS AND DEPRIVATIONS OF PLAINTIFFS'S IN-VALUABLE AND MOST PRECIOUS "LIFE'S RIGHTS", FREEDOM, AND PROPERTY UNDER THE CONSTITUTION OF THE UNITED STATES... (SEE BELL V. WOLFISH, 441 U.S. 520 (1979))... BUT HAVE SHOWN GROSS NEGLIGENCE BY ALLOWING AND PARTICIPATING IN THESE UNCONSCIONABLE ACTIONS TO CONTINUE ...

(9) PLAINTIFFS ARE IN THE UNIQUE POSITION WHERE CIVIL ACTION IS INVARIABLY AVAILABLE. (SEE HARRIS V. MACDONALD, D.C. ILL. 1982, 532 F. SUPP. 36) ... WHEREFORE, PLAINTIFFS ARE ENTITLED TO MANDAMUS, BECAUSE OF:

A) A CLEAR AND CERTAIN CLAIM;

B) THE DUTY OWED IS MINISTERIAL AND SO PLAINLY

Prescribed As To Be Free From Doubt;
 C.) AND THERE IS NO OTHER ADEQUATE
 REMEDY AVAILABLE; (SEE *Yu v. Brown*
 26 F. Supp. 2d 922 (1) New Mexico -

(10) Jurisdiction In This Case Is Proper Under Title 28 U.S.C.
 2254; 28 U.S.C. § 1331 AND 1361, 5 U.S.C. § 701 ET. SEQ. AND
 28 U.S.C. § ET. SEQ. Relief Is Pursuant To Said Statute; In
 Cases Challenging Violations Of Constitutional Rights, Mandamus
 Is Construed Liberally. (*James v. Bd. Of Parole, C.A. 7 (Ill.)*
 1976, 541 F. 465 F.2d, 844, Reversed On Other Grounds
 94 S. Ct. 2940, 418 U.S. 166 41 L.Ed.2d 678 -
 Mandamus - Key - 10; Federal Courts Cannot Refuse To
 Hear Claims Of Deprivation Of Constitutional Rights On
 Grounds That The Result Might Be A Disincentive To An
 Administrator To Adjust Procedure So As To Comport
 With Constitutional Guarantees. (*Andusan v. Weinberger*,
 S.D. N.Y. 1976, 69 F.R.D. 690 Federal Courts - Key -
 173; Mandamus Lies Both To Compel Compliance With
 Due Process Requirements And To Provide Court Jurisdiction
 To Declare Due Process Requirements Applicable To
 Challenged Proceedings. (*Ellet v. Weinberger C.A.*
 9 (Hawaii) 1977, 564 F.2d 1219, CERTIORARI GRANTED
 99 S. Ct. 75, 439 U.S. 816, 58 L.Ed.2d 106
 AFFIRMED IN PART, REVERSED IN PART ON OTHER
 GROUNDS 99 S. Ct. 2545, 442 U.S. 682, 61 L.Ed.2d
 176, On Remand 607 F.2d 329 - FEDERAL COURTS
 - KEY - 526 - 1; Mandamus - Key - 10;

(11) DEFENDANTS REFUSAL TO GET IN THIS CASE IS, AS A MATTER OF LAW, CAPRICIOUS AND ARBITRARY AND NOT IN ACCORDANCE WITH THE LAW, NOR THE U.S. CONSTITUTION... DEFENDANTS HAVE WILLFULLY AND UNCONSCIOUSLY, NOT ONLY DELAYED AND HAVE REFUSED TO ADJUDICATE PLAINTIFFS LAW SUIT... AND HAVE COLLECTIVELY TERMINATED ANY NOTIONS AS TO THE EXISTENCE OF THE SUIT WITHOUT ANY CONSIDERATIONS DUE PROCESS, OR HONOR OF RESPECT FOR THE CONSTITUTION AND LAWS OF STATE OR FEDERAL... NOT EVEN HUMAN DECENCY, IN VIEW OF THE SEVERE TRAUMA AND PAIN PLAINTIFFS HAVE GONE THROUGH AND ARE STILL GOING THROUGH... THEREBY CAUSING PLAINTIFFS DEPRIVATIONS OF LIBERTY, PURSUIT OF HAPPINESS, AND NOT ABOUT WELL BEING BEING IMPINGED UPON... (DEFENDANTS HAVE IN ADVERSARILY ESTABLISHED THEIR OWN DOCUMENTED EVIDENCE IN FAVOR OF THE PLAINTIFFS — "SHOT THEMSELVES IN FOOT"... THIS DOCUMENTED EVIDENCE SUBSTANTIATES AND VALIDATES PLAINTIFFS SUIT/CLAIM. ALL THE WAY AROUND...)

(12) DEFENDANTS AND COUNSEL FOR THE DEFENSE ARE IN CLEAR VIOLATION OF THE CONSTITUTION AND DUE PROCESS, AND ADMINISTRATIVE PROCEDURES ACT, 5 U.S.C.A. 701 et. seq... AND HAVE UNLAWFULLY DELAYED, AND HAS ATTEMPTED TO TERMINATE THE ACTIONS OF PLAINTIFFS SEEKING REDRESS AND JUSTICE OF ACTS DONE WANTONLY AND MALICIOUSLY FLAGRANT UNDER THE COLOR OF LAW... (AS IF THE THESE INCIDENTS NEVER OCCURRED... FURTHER, DEFENDANTS, THEIR SUCCESSORS IN OFFICE, AGENTS AND EMPLOYEES AND ALL OTHER PERSONS ACTING IN CONCERT AND PARTICIPATION, WITH THEM THEIR ADMINISTRATION — "THE NEW YORK COMPTROLLER'S OFFICE, HAVE THUS FAR FAILED

IN THEIR SWORN OFFICIAL CAPACITY AND OATH OF OFFICE
TO CARRY OUT THE ADJUDICATIVE FUNCTIONS DELEGATED BY
LAW AND THE U.S. CONSTITUTION, IN REGARDS TO PLAINTIFFS'S
ALREADY ESTABLISHED SUIT/CLAIM CASE ...

- (13) WHEREFORE IN VIEW OF THE ARGUMENTS, AUTHORITY, AND
THE WELL ESTABLISHED CLAIMS OF THE PLAINTIFFS NOTED HEREIN
AND IN THE ENTIRE COURT DOCKET'S PLAINTIFFS RESPECTFULLY
PRAYS THAT THIS HONORABLE COURT, WILL ORDER DEFENDANTS
WITH EXTREME PREJUDICE TO PAY THE AGREED UPON RELIEF
AND DAMAGES ... AND GRANTING SUCH OTHER RELIEF AND
DAMAGES AT LAW AND EQUITY AS THIS HONORABLE COURT AND
JUSTICE REQUIRE, AND DEEMED PROPER AS A MATTER OF
COURSE ...

Thank You!

WHEREFORE UNDER THE PENALTY OF PERJURY, THE
PLAINTIFFS, Ms. BELINDA A. WILSON, AND Mr. ROBERTO V.
HAMILTON, STATE AND DECLARE THE FOREGOING IS TRUE
AND CORRECT ...

Belinda A. Wilson
Belinda A. Wilson

Roberto V. Hamilton
Roberto V. Hamilton

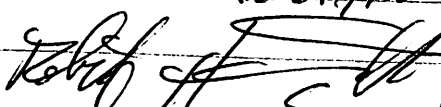
4/12/2019

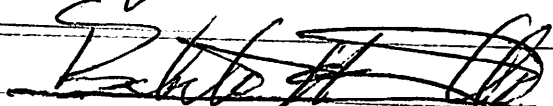
"Certificate Of Service"

We Declare Under the Penalty Of Perjury.
The Foregoing To Be True And Correct...
That We The Plaintiffs, Ms. Belinda A. Wilson,
And Mr. Roberto V. Hamilton, Certify, That I,
Roberto V. Hamilton Deliver By Hand, To
The United States District Court - Eastern
District Of New York, This Order Of Motion When
To "Sue"

1.) To The Eastern District Court - 225
Casman Plaza E. Brooklyn, N.Y. 11201

2.) The City Of New York Law Dept.
J. Raymond Meekman, III - Assistant
Corp Counsel - Special Federal
Litigation Division
100 Church Street, New York, N.Y. 10007


Belinda A. Wilson
Belinda A. Wilson


Roberto V. Hamilton

04/12/2019

Notary :

C.C. John Raymond Meekman III

- (1) Detective Daniel Donaldson, Shield No. 4772
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- (2) Detective Lenin Guererro, Shield No. 7483
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- (3) Police Officer Adam Geslak, Shield No. 29753
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- (4) Detective Matthew Kobel, Shield No. 5311
New York City Police Department
Emergency Services Unit
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Brooklyn, NY 11234
- (5) Lieutenant Steven Caraballo
New York City Police Department
Emergency Services Unit
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Edward Hall
Brooklyn, NY 11234
- (6) Detective Robert Romano, Shield No. 7517
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- (7) Detective Michael Taggart, Shield No. 7633
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234

- (8) Detective Raymond Ragione, Shield No. 4062 ✓
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234 8
- (9) Detective Jason Jackson, Shield No. 7402 ✓
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- ✍ (10) Sergeant John McGivney, Shield No. 851
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- ✍ (11) Captain Tony Brown
New York City Police Department
75th Precinct
1000 Sutter Avenue
Brooklyn, NY 11208
- ✍ (12) Retired Lieutenant Jose Vega
New York City Police Department
1 Police Plaza, Room 110-c
New York, NY 10038
- ✍ (13) Lieutenant Yeon Jung ✓
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- ✍ (14) Sergeant Paul Scocca, Shield No. 3616 ✓
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- (15) Police Officer Jason Smith, Shield No. 16580 ✓
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212

- (16) Police Officer Michael Kalish, Shield No. 90483
New York City Police Department
Emergency Services Unit
Floyd Bennett Field
Edward Hall
Brooklyn, NY 11234
- (17) Detective Joseph McEvoy, Shield No. 7393
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- (18) Police Officer George Allen, Shield No. 6387
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- (19) Police Officer Jeffrey Goris, Shield No. 17322
New York City Police Department
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- (20) Police Officer Dwane Edwards, Shield No. 13814
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- (21) Police Officer Carlos Herrera, Shield No. 23317
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212
- (22) Sergeant Daniel Berardi, Shield No. 729
New York City Police Department
75th Precinct
1000 Sutter Avenue
Brooklyn, NY 11208

(23) Police Officer Henry Rivera, Shield No. 3959
New York City Police Department
73rd Precinct
1470 East New York Avenue
Brooklyn, NY 11212

These officers may be served with process at the above addresses. Accordingly, we respectfully submit that defendant has complied with the Court's Valentin Order.

Defendant thanks the Court for its consideration in this regard.

Respectfully submitted,

/s/
J. Raymond Mechmann
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY FIRST-CLASS MAIL**
Belinda Wilson
Roberto Hamilton
Plaintiffs Pro Se
147 Somers Street, Apt. 1L
Brooklyn, NY 11233